



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, NOVEMBER 4, 1999**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, November, 4, 1999, in the City Council Chambers, at 307 West Second Street, for the following purposes:

Mayor Pro Tem Goodman called the meeting to order at 9:45 a.m. Council Members Griffith and Spelman were temporarily absent. Mayor Watson was absent.

BRIEFINGS

1. Equity Initiative and Neighborhood services
A presentation was given by Cora Wright, Director of Neighborhood Services; Austin Librach, Director of Planning Environmental Conservation Services; Ruth Ann Edwards, Director of Human Services; Jesus Olivares, Director of Parks and Recreation Department; Paul Hilger, Community Development Officer; and Marcia Conner, Assistant City Manager.
3. On-Site Sewage Facility Rules
A presentation was given by David Lurie, Director of Public Health; Mary Bell Lockhart, Health and Human Services Manager; Shannon Jones, Assistant Director of Public Health; and Randy Goss, Director of Water and Wastewater.
2. PIER (Permitting, Inspection, Enforcement and Review)
A presentation was given by Alice Glasco, Director of Department of Review, Inspection and Development, and Beth Tobias, Information Systems Division Manager.

EXECUTIVE SESSION (No Public Discussion on These Items)

The City Council announced it would go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

Executive session was held at 12:31 p.m.

Private Consultation with Attorney - Section 551.071

4. Discuss legal issues regarding limited adjustment for Paisano Subdivision.

Item 5 was discussed in Executive Session later in the meeting.

6. Discuss *City of Austin v. L.S. Ranch Ltd., et al.*, Cause No. 039800542-CV, in the Third Court of Appeals (Austin, Texas). (This litigation concerns development regulations applicable in the Barton Springs Zone.)
7. Discuss *FM Properties Operating Co. v. City of Austin*, Cause No. 98-0685, in the Supreme Court of Texas. (This litigation concerns development regulations applicable in the Barton Springs Zone.)
8. Discuss *Sean Mannix et al. v. ECO Resources, Inc., City of Austin, Brushy Creek MUD*, No. 98-550-C26, Williamson County District Courts, and litigation.

Real Property – Section 551.072

9. Discuss acquisition of real property for Building Services.

Executive session ended at 1:45 p.m.

LIVE MUSIC: Ira Alexander

INVOCATION – Reverend Palomino Salatiel - El Buen Pastor Presbyterian Church

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent.

A motion to reconsider the consent agenda was approved on Council Member Spelman's motion, Council Member Garcia's second by a 6-0 vote. Mayor Watson was absent.

The consent agenda was approved on Council Member Garcia's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent.

Financial Services

21. Amend Ordinance No. 990914-1, the 1999-2000 Support Services Fund Operating Budget by increasing the authorized Full Time Equivalents in Finance and Administrative Services by 2.0 for the assumption of the Service Level Agreement for the Greater Austin Area Telecommunication Network (GAATN) (Related to Item Number 22)
This item was been postponed to November 18, 1999 at staff request.
22. Authorize an amendment to an Interlocal Cooperation Agreement between the City of Austin and Travis County, Texas relating to the provision of installation and maintenance services for their radio communications components and systems, to allow for recovery from the County of shared system infrastructure costs and to include associated procedural provisions increasing the total annual reimbursed cost to an amount not to exceed \$500,000. (\$360,000 in revenue is included in the 1999-2000 Approved Operating Budget of the Radio Communications Fund. This amendment has no fiscal impact.)
Resolution No. 991104-22 was approved.
23. Consider amending Ordinance 990913-2, the 1999-2000 Capital Budget by increasing appropriations to the Finance and Administrative Services Department by \$1,000,000 and creating a new building maintenance account known as "1111 Rio Grande." (\$1,000,000 from FM Global, the City's property and boiler and machinery insurance carrier.)
Ordinance No. 991104-23 was approved.
24. Approve a resolution authorizing execution of a contract with PIONEER STANDARD, Austin, Texas, for the purchase and installation and twelve-month maintenance of fast switched Ethernet switching equipment for One Texas Center, located at 505 Barton Springs Rd., Austin, Texas 78704, in an amount not to exceed \$176,745. (Funding in an amount of \$93,027 was included in the 1996-97 Amended Capital Budget of the Financial Services Department and \$83,718 was included in the 1999-2000 Approved Operating Budget of the Watershed Protection Department.) Low bid of five. No MBE/WBE subcontracting participation.
Resolution No. 991104-24 was approved.
25. Approve a resolution authorizing negotiation of a contract with INTERGRAPH PUBLIC SAFETY, Huntsville, Alabama, to provide and install a Regional Computer Aided Dispatch application software. Best of five proposals.
This item was postponed indefinitely at the request of staff.
26. Approve ratification of a contract with MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., Austin, Texas, for the purchase of two-way radio equipment for the Austin Police Department (APD) in an amount not to exceed \$243,394. (Funding was included in the 1999-2000 Operating Budget of Austin Police Department.) Sole Source. No MBE/WBE opportunities were identified.
Resolution No. 991104-26 was approved.
27. Approve a resolution authorizing the filing of eminent domain proceedings to acquire the fee simple interest in Lot 5, Town and Country Village Addition, Section 4, Phase 1, Williamson County, Texas, owned by Nieman Properties, for the Spicewood Springs Branch Library

Expansion. (Funding in an amount of \$685,000 is included in the 1999-2000 Approved Capital Budget of the Library Department.)

Resolution No. 991104-27 was approved.

Item 28 through 30 were discussed at 5:00 p.m.

31. Approve a resolution authorizing appointment of an Associate City Clerk.

Resolution No. 991104-31 was approved.

32. Approve a resolution authorizing the negotiation and execution of an agreement to sell eleven City-owned portable classroom buildings and two portable restroom buildings to the Del Valle Independent School District (DVISD) for a total price of \$246,000 and authorizing the negotiation and execution of agreements to sell the remaining seven portable classroom buildings and one bathroom building to prospective buyers at appraisal value, subject to adjustment for condition. (The proceeds from this sale are not reflected in the Department of Aviation's 1999-2000 Approved Capital Budget.)

Resolution No. 991104-32 was approved.

33. Set public hearings for the limited purpose annexation of the Avery Ranch tract, consisting of approximately 1630 acres between Brushy Creek and the existing City limits located approximately 1.5 miles north of the intersection of FM 620 and Parmer Lane. (No fiscal impact associated with setting a public hearing.) Suggested Dates and Times: December 2, 1999 at 6:00 P.M. and December 9, 1999 at 6:00 P.M.)

Resolution No. 991104-33 was approved.

Item 34 was pulled for discussion.

35. Approve a resolution authorizing the negotiation and execution of an agreement with Lost Creek Municipal Utility District for purchase of the District's Loop 360 water pump station improvements, a 12-inch water main and appurtenances, and related rights and for resolution of related matters. (Funding in an amount of \$145,000 is available in the 1997-1998 Amended Capital Budget and \$167,236 is available in the 1999-2000 Amended Capital Budget of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)

Resolution No. 991104-35 was approved.

36. Approve a resolution authorizing Service Extension Request No. 1948 for water service not to exceed 18 gallons per minute (gpm) for a tract of approximately 8.0 acres known as the Willow Bend tract owned by Thomas Rosener located within the Drinking Water Protection Zone within the extraterritorial jurisdiction of Austin east of RM 620 on Foundation Road. (Recommended by Water and Wastewater Commission)

This item was been postponed indefinitely until the Bull Creek report is received.

37. Approve a resolution authorizing Service Extension Request No. 1949 for wastewater service not to exceed a peak wet weather flow of 16 gallons per minute (gpm) for a tract of approximately 8.0 acres owned by Thomas Roesner known as the Willow Bend Tract located within the Drinking Water Protection Zone in the extraterritorial jurisdiction of Austin east of RM 620 on Foundation Road. (Recommended by Water and Wastewater Commission)

This item was been postponed indefinitely until the Bull Creek Report is received.

38. Approve a resolution authorizing Service Extension Request No. 1961 for water service submitted by BRE/Baldwin Ranch, L.P. for a tract of approximately 662 acres known as the Balfour Planned Unit Development (P.U.D.) located within the Drinking Water Protection Zone within an area annexed for limited purposes. (Recommended by Water and Wastewater Commission)

Resolution No. 991104-38 was approved.

39. Approve a resolution authorizing Service Extension Request No. 1962 for wastewater service submitted by BRE/Baldwin Ranch, L.P. for a tract of approximately 662 acres known as the Balfour Planned Unit Development (P.U.D.) in the Drinking Water Protection Zone and within an area annexed for limited purposes. (Recommended by Water and Wastewater Commission)

Resolution No. 991104-39 was approved.

Item 40 was pulled for discussion.

41. Approve a resolution authorizing negotiation and execution of agreements with Wells Branch Municipal Utility District (MUD), Dorothy W. Hewitt and Erb Partners, Ltd. for pass-through wastewater service to Dave's Ultimate Automotive at 2711 Howard Lane and Dot's Restaurant at 13805 Orchid Lane. (This will be a revenue producing item for the City, estimated an additional \$2,080 per year in wastewater revenue will be generated from these two customers.) (Recommended by Water and Wastewater Commission)

Resolution No. 991104-41 was approved.

42. Approve a resolution authorizing the negotiation and execution of one or more interlocal agreements with the Anderson Mill Municipal Utility District to provide terms for relocation by the City of a District Wastewater force main, for relocation by the District of a City master water meter and vault, and for interim wholesale wastewater service from the City to the portion of the District whose flows will be diverted to the City as a result of the relocation of the District force main. (Interim Wastewater Service will be a revenue generating activity, estimated annual revenue is approximately \$32,280. The estimated cost of the City's relocation of the District's force main and the District's relocation of the City's master meter and vault are roughly equivalent.) (Recommended by Water and Wastewater Commission)

Resolution No. 991104-42 was approved.

43. Approve a resolution authorizing execution of a twelve-month sole source contract with XEROX CORPORATION, Austin, Texas, for the lease of a Xerox DocuPrinte 96 Laser Printing System, for the Information Systems Office (ISO) for a total contract amount not to exceed \$192,364. (Funding was included in the 1999-2000 Approved Capital Budget of Telecommunications.)

Resolution No. 991104-43 was approved.

Items 44 and 45 were pulled for discussion.

46. Approve an ordinance amending Chapter 25-2 of the City Code regarding use and site development regulations for the W/LO, Warehouse Limited Office district.

Ordinance No. 991104-46 was approved.

47. Set a public hearing to consider an ordinance amending Chapter 25-2 of the City Code regarding use and site development regulations for telecommunication towers. (Suggested date and time: December 2, 1999 at 6:00 p.m.)

Resolution No. 991104-47 was approved.

48. Set a public hearing to approve an ordinance amending Section 25-12-113 of the City Code (Electrical Code) regarding reciprocal licenses. (Suggested Date and Time: November 18, 1999 at 6:00 p.m.)

Resolution No. 991104-48 was approved.

49. Set a public hearing to approve an ordinance amending Article IV of Chapter 25-12 of the City Code to adopt Section 300-11(a) of the National Electrical Code, 1996 edition, regarding electrical installations in fire rated ceiling assemblies. (Suggested Date and Time: November 18, 1999 at 6:00 p.m.)

Resolution No. 991104-49 was approved.

Item 50 was pulled for discussion.

51. Approve a resolution supporting only those free trade agreements that maintain Austin's authority and ability to regulate within its jurisdiction. (Council Member Gus Garcia and Council Member William Spelman)

Resolution No. 991104-51 was approved.

52. Consider changes to the membership requirements of the Minority-Owned and Women-Owned Business Enterprise Procurement Program Advisory Committee. (Council Member Gus Garcia and Council Member William Spelman)

Ordinance No. 991104-52 was approved.

67. APPOINTMENTS

MBE/WBE Advisory Committee

Michelle Pettes
(Women's Contractor Representative)

Consensus

ADDENDUM

68. Adopt a resolution authorizing negotiation and execution of a cost reimbursement agreement with Pebble Creek Joint Venture providing terms and conditions for construction and design of a 24, 30, 36-inch water main, and reservoir and appurtenances to provide water service within and near the proposed Avery Ranch located north of R.M. 620, east and west of West Parmer Lane/FM 437 and South of Brushy Creek with City cost reimbursement in an amount not to exceed \$15,600,000; and approve an ordinance waiving certain requirements of Section 25-9-

63, of the City Code, relating to amount of cost reimbursement; and waiving requirements of Section 25-9-67 relating to the reimbursement schedule. (Cost reimbursement in an amount not to exceed \$15,600,000 is subject to funding approval in future capital budgets of the Water and Wastewater Utility.) (Recommended by Water and Wastewater Commission)

Resolution No. 991104-68A and Ordinance No. 991104-68B were approved.

69. Approve a resolution appointing an alternate for Mayor Kirk Watson or for any other member at the Capital Austin Metropolitan Planning Organization (CAMPO) November 8, 1999 meeting. (Mayor Kirk Watson and Council Member Gus Garcia)

Resolution No. 991104-69 was approved with Council Member Slusher appointed as the alternate.

MINUTES

10. Approval of minutes for regular meetings of September 30, 1999 and October 28, 1999

The minutes were approved on Council Member Spelman's motion, Council Member Garcia's second by a 4-0 vote. Mayor Pro Tem Goodman and Council Member Lewis abstained. Mayor Watson was absent.

CITIZEN COMMUNICATIONS: GENERAL

11. Ernest Samudio – Proposed Ordinance to Ban Animal Acts
12. Robin R. Harven – Millennium Youth Entertainment Center - **Absent**
13. Gus Peña – Discuss City Health Clinic Issues and Taxpayers' Rights
14. John Kunkel
15. Richard Troxell – Homelessness in Austin
16. Kevin McGaughy – Parks and Recreation Department Hiring Practices – **Deleted from the agenda**
17. Charles Waits – I salute the Clean Air Force and City Council by reciting my “Ode to Environmentalist”
18. Ray Ramirez – Parks and Recreation Community Affairs
19. Clinton Smith – Recreation Activities Neighborhood Plans
20. Paul Robbins

DISCUSSION ITEMS

34. Approve a resolution authorizing execution of a twelve-month service agreement with STATEWIDE LAWN SERVICE, Lavernia, Texas, for grounds maintenance services, for the Water and Wastewater Utility in an amount not to exceed \$48,593.50, with two twelve-month extension options in an amount not to exceed \$48,593.50 per extension option for a total contract amount not to exceed \$145,780.50. (Funding in an amount of \$44,544.04 is included in the 1999-2000 Approve Operating Budget of the Water and Wastewater Utility. Funding for the remaining month and the extension options is contingent upon available funding in future budgets.) Low bid of six. No MBE/WBE subcontracting participation.
- Resolution No. 991104-34 approved on Council Member Spelman's motion, Council Member Slusher's second by a 6-0 vote. Mayor Watson was absent.**

40. Approve a resolution authorizing Service Extension Request No. 1969 for wastewater service not to exceed peak wet weather flow of 2 gallons per minute (gpm) for a tract of approximately 1.42 acres near Westlake Drive and Mount Larson Road owned by John Ohmstede located outside the full-purpose city limits and within the Drinking Water Protection Zone. (Recommended by Water and Wastewater Commission)
Resolution No. 991104-40 was approved on Council Member Slusher's motion, Council Member Spelman's second by a 6-0 vote. Mayor Watson was absent.
44. Amend Ordinance No. 990914-1, the 1999-2000 Operating Budget amending the General Fund by increasing budgeted expenditures in the Public Works Department by \$100,000 and decreasing the contingency reserve by \$100,000. (Related to Item Number 45.) (Funding in the amount of \$100,000 is available in the 1999-2000 General Fund Contingency Reserve Account.)
Ordinance No. 991104-44 was approved on Council Member Spelman's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent.
45. Authorize negotiation and execution of an amendment to the professional services agreement with CH2M HILL, Austin, Texas, for additional design phase services for the Ullrich Medium Service Transmission Main as part of the Safe Drinking Water Phase II Improvements Project and other utility relocation work, in the amount of \$593,000 for a total agreement not to exceed \$8,056,552. (Related to Item Number 44.) (Funding in the amount of \$393,000 was included in the 1997-98 Amended Capital Budget of the Water & Wastewater Utility; \$100,000 was included in the 1999-2000 Approved Capital Budget of the Electric Utility department. \$100,000 was available in the 1999-2000 Amended Operating Budget of the Department of Public Works and Transportation. There is no unanticipated fiscal impact.) (Recommended by the Water and Wastewater Commission.) (8.0% MBE; 20.1% WBE Subcontracting Participation)
Resolution No. 991104-45 was approved on Council Member Spelman's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent.
50. A resolution directing the City Manager to implement the following recommendations of the Austin Music Commission regarding distribution of funds from the Music Industry Loan Program: 1.) purchase digital equipment (\$34,500) for the preservation of the Austin Music Video Archives; 2.) purchase second-hand band and orchestra equipment (\$14,000) for renovation and donation to local school districts; and 3.) initiate a request for proposals for provision of mental health and chemical dependency services for musicians and their families (\$61,141). (Mayor Pro Tem Jackie Goodman)
An amendment was approved on Council Member Spelman's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent. The amendment replaces item 3 in the current resolution with the following language, "Request that C.A.N. staff examine the availability of mental health and chemical dependency services to musicians and their families and evaluate the need for issuing a request for proposal for provision of these services and to request C.A.N. to report to Council in 60 days."
- There was a friendly amendment by Council Member Slusher that funding for purchase of equipment be restricted to school districts that serve Austin students.**

Resolution No. 991104-50 was approved with an additional amendment to direct the City Manager to evaluate the feasibility of the development of the Texas Museum, Inc. on Council Member Garcia's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Mayor Watson was absent.

CONSENT ZONING ITEMS

All of the following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and the consent items were approved on Council Member Spelman's motion, Council Member Lewis' second by a 6-0 vote. Mayor Watson was absent.

DISCUSSION ZONING ITEMS

53. C14-99-0137 - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 9518 Anderson Mill Road from I-RR, Interim-Rural Residence District to LI, Limited Industrial Service District zoning. Planning Commission Recommendation: To grant LI-CO, Limited Industrial Service-Conditional Overlay Combining District zoning with conditions. Applicant: William and Robert Balzen. City Staff: David Wahlgren, 499-6454. (continued from 9-30-99).

This item was postponed to December 2, 1999 at the request of the applicant.

54. C14-98-0161 – Champion Property – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 6507 Winterberry Drive from DR, Development Reserve District to SF-2, Single-Family Residence (Standard Lot) District zoning. Planning Commission Recommendation: To grant SF-2-CO, Single-Family Residence (Standard Lot)-Conditional Overlay Combining District zoning with conditions. Applicant: Josie Champion, Juanita Meier and Mary Roberson; Agent: Graves, Dougherty, Hearon & Moody (Mike Whellan). City Staff: Ellen Meadows, 499-2339. (continued from 9/30/99)

This item was postponed to December 2, 1999 at the request of the applicant.

55. C14-98-0162 – Champion Property – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 6011-6411 City Park Road, 5801-6507 FM 2222 from SF-2, Single-Family Residence (Standard Lot) District to GO-MU, General Office-Mixed Use Combining District zoning. Planning Commission Recommendation: To grant GO-MU-CO, General Office-Mixed Use- Conditional Overlay Combining District zoning with conditions for Tract 3. Applicant: Josie Champion, Juanita Meier, and Mary Roberson; Agent: Graves, Dougherty, Hearon & Moody (Mike Whellan) and Lockwood Engineers, Inc. (Fred Lockwood). City Staff: Ellen Meadows, 499-2339. (continued from 9/30/99)

This item was postponed to December 2, 1999 at the request of the applicant.

56. C14-98-0163 – Champion Property – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 5614-5620 FM 2222; 6300-6406 Lakewood Drive; 6700-6708 Lakewood Drive; 6401-6711 Capital of Texas Highway North from SF-2 Single-Family Residence (Standard Lot) District to GR-MU, Community Commercial-Mixed Use Combining District zoning. Planning Commission Recommendation:

To grant GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay Combining District zoning with conditions for Tract 5. Applicant: Josie Champion, Juanita Meier, and Mary Roberson; Agent: Graves, Dougherty, Hearon & Moody (Mike Whellan) and Lockwood Engineers, Inc. (Fred Lockwood). City Staff: Ellen Meadows, 499-2339. (continued from 9/30/99)

This item was postponed to December 2, 1999 at the request of the applicant.

57. C14-99-0076 – Champion Property – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 5800-6802 FM 2222 and 6100-6712 Capital of Texas Highway North from DR, Development Reserve District and SF-2, Single-Family Residence (Standard Lot) District to MF-2, Multifamily Residence (Low Density) District zoning for Tract 1B; from SF-2, Single-Family Residence (Standard Lot) District to GR-MU, Community Commercial-Mixed Use Combining District zoning for Tract 1C; from DR, Development Reserve District and SF-2, Single-Family Residence (Standard Lot) District to GO-MU, General Office-Mixed Use Combining District zoning for Tract 1D. Planning Commission Recommendation: To grant MF-1-CO, Multifamily Residence (Limited Density)-Conditional Overlay Combining District zoning with conditions for Tract 1B; GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay Combining District zoning with conditions for Tract 1C; GO-MU-CO, General Office-Mixed Use-Conditional Overlay Combining District zoning with conditions for Tract 1D. Applicant: Josie Champion, Juanita Meier, and Mary Roberson; Agent: Graves, Dougherty, Hearon & Moody (Mike Whellan). City Staff: Ellen Meadows, 499-2339. (continued from 9/30/99)

This item was postponed to December 2, 1999 at the request of the applicant.

58. C14-99-0077 – Champion Property – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 6100-6404 City Park Road and 6509-6909 FM 2222 from DR, Development Reserve District to GR-MU-CO, Community Commercial-Mixed Use Conditional Overlay Combining District zoning with conditions. Planning Commission Recommendation: To grant ; GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay Combining District zoning with conditions for Tract 2. Applicant: Josie Champion, Juanita Meier, and Mary Roberson; Agent: Graves, Dougherty, Hearon & Moody (Mike Whellan). City Staff: Ellen Meadows, 499-2339. (continued from 9/30/99)

This item was postponed to December 2, 1999 at the request of the applicant.

Item 59 was pulled for discussion.

60. C14-99-2026 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 8034-8100 Spicewood Springs Road from I-RR, Interim-Rural Residence district to RR, Rural Residence district zoning. Planning Commission Recommendation: To Grant RR-CO, Rural Residential-Conditional Overlay Combining District zoning with conditions. Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: Katie Larsen, 499-3072.

The first reading of this ordinance was approved.

61. C14-99-2029 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 7430-7808 Spicewood Springs Road from I-RR, Interim-Rural Residence district to RR, Rural Residence District zoning. Planning Commission

Recommendation: To Grant RR-CO, Rural Residential-Conditional Overlay Combining District zoning with conditions. Applicant: City of Austin; Agent: Development Review and Inspection Department. City Staff: Katie Larsen, 499-3072.

Ordinance No. 991104-61 was approved.

62. C14-99-2033 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 9905 Anderson Mill Road from RR, Rural Residence District zoning to LO, Limited Office District zoning. Planning Commission Recommendation: To Grant LO-CO, Limited Office-Conditional Overlay Combining district zoning with conditions. Applicant: Unity church of the Hills (William McCurley, Treasurer); Agent: Hill Country Environmental, Inc. (Lisa or Bill McCurley). City Staff: Clark Patterson, 499-2464.

The first reading of this ordinance was approved.

Item 62 was reconsidered on Council Member Spelman's motion, Council Member Slusher's second by a 6-0 vote. Mayor Watson was absent.

The first reading of this ordinance was approved on Council Member Slusher's motion, Council Member Spelman's second by a 6-0 vote. A friendly amendment to make the owner comply with the Barton Springs Watershed regulations was made by Council Member Slusher and was accepted by Council Member Spelman.

63. C14-99-2036 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 13160 Pond Springs Road from I-RR, Interim-Rural Residence district to GR, Community Commercial district zoning. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay Combining District zoning with conditions. Applicant: John Fields, Trustee (Hayden Hammon); Agent: Holford Group (Theresa Canchola). City Staff: David Wahlgren, 499-6455.

Ordinance No. 991104-63 was approved.

64. C14-99-2039 – Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 7406 Geneva Drive from GR, Community Commercial district zoning to SF-6, Townhouse and Condominium Residence district zoning. Planning Commission: To Grant SF-6, Townhouse and Condominium Residence District and RR, Rural Residence District zoning. Applicant: Raymond C. Tubbs. City Staff: Katie Larsen, 499-3072.

The first reading of this ordinance was approved.

DISCUSSION ZONING ITEMS

59. C14-99-0116 – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 5366 and 5408 U. S. Hwy. 290 West at Southwest Parkway and 4815 Boston Lane from DR, Development Reserve District zoning to CS, General Commercial Services district for Tract 1, IP, Industrial Park district zoning for Tract 2, 3, and 4 and R & D, Research and Development District zoning for Tract 5. Planning Commission Recommendations: CS-CO, General Commercial Services-Conditional Overlay Combining District zoning for Tract 1, IP-CO, Industrial Park-Conditional Overlay Combining District

zoning with conditions for Tracts 2, RR, Rural Residence District zoning for Tract 3, LO-CO, Limited Office-Conditional Overlay Combining District zoning with conditions for Tract 4 and R & D-CO, Research & Development-Conditional Overlay Combining District zoning with conditions for Tract 5. Applicant: White Properties (Tom White) and Southern Therapy, Inc. (Calvin L. Cole); Agent: Land Strategies, Inc. (Paul Linehan). City Staff: Adam Smith, 499-2755.

The first reading of this ordinance was approved on Council Member Spelman's motion, Council Member Lewis' second by a 6-0 vote. Mayor Watson was absent.

There was a friendly amendment by Council Member Slusher that the zoning is subject to the SOS Ordinance and there was direction to staff to explore how and what to prohibit as it relates to use of toxic chemicals or chemicals in general. The friendly amendment was accepted by Council Member Spelman, maker and Council Member Lewis who seconded it.

The Council meeting was recessed at 4:42 p.m. to go into Executive Session.

EXECUTIVE SESSION

5. Discuss legal issues related to Chapter 245 of the Local Government Code.

Executive session ended at 5:07 p.m.

DISCUSSION AGENDA CONTINUED

28. Amend Ordinance 990914-1, the 1999-2000 Operating Budget by increasing the transfer from the Hospital Fund to the Federally Qualified Health Center Fund by \$578,128, reducing the Hospital Fund ending balance by \$578,128 and increasing the appropriation in the Health and Human Services Department, Federally Qualified Health Center Fund by \$578,128. (This budget amendment will transfer \$578,128 from the Approved 1999-2000 Hospital Fund ending balance to the Federally Qualified Health Center Fund and appropriate \$578,128 for an increase in the contract with Goggio & Associates, Inc. for management services for the Health and Human Services Department's Federally Qualified Health Center Clinics.

Ordinance No. 991104-28 was approved on Council Member Garcia's motion, Council Member Spelman's second by a 6-0 vote. Mayor Watson was absent.

29. Approve amendment No. 2 to the contract with GOGGIO & ASSOCIATES, INC., San Francisco, CA., to increase funding for the current contract year to provide management services for the Health Department's Federally Qualified Health Center (FQHC) Clinics, in an amount not to exceed \$578,128, for a total second year funding of \$928,128, and a total contract amount of \$1,945,188. (Funding in an amount of \$578,128 is available in the 1999-2000 Amended Operating Budget of the Federally Qualified Health Center.

Resolution No. 991104-29 was approved on Council Member Garcia's motion, Council Member Spelman's second by a 6-0 vote. Mayor Watson was absent.

30. Approve a resolution acknowledging receipt of "Recommendations for Future Configuration and Management of the Austin/Travis County Health and Human Services Department Community Health Centers," submitted by Goggio & Associates, Inc.

Resolution No. 991104-30 was approved on Council Member Garcia's motion, Council Member Spelman's second by a 6-0 vote. Mayor Watson was absent.

A motion to recess the Council meeting at 5:54 p.m. on Council Member Garcia's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Mayor Watson was absent.

6:00 P.M. PUBLIC HEARINGS

65. - Conduct a public hearing to appeal the decision of the Planning Commission to deny a one year extension of a released site plan for property locally known as 12901-13305 North FM 620. Applicant: Pecan Park Retail Center; Appellant: Marion Shipman. Agent: Holford Group (Charles Dunn). File No. SP-95-0501C(XT). City Staff: Tammie Williamson, 499-3056.

The public hearing was closed on Council Member Spelman's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent.

66. Consider appealing the decision of the Planning Commission to deny a one year extension of a released site plan for property locally known as 12901-13305 North FM 620. Applicant: Pecan Park Retail Center; Appellant: Marion Shipman. Agent: Holford Group (Charles Dunn). File No. SP-95-0501C(XT). City Staff: Tammie Williamson, 499-3056.

The motion to uphold the Planning Commission decision to deny a one year extension was approved on Council Member Spelman's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent.

ADJOURNED at 6:30 p.m. on Council Member Slusher's motion, Council Member Griffith's second by a 6-0 vote. Mayor Watson was absent.

The minutes for the Regular Meeting of November 4, 1999 were approved on this the 18th day of November, 1999 on Council Member Garcia's motion, Council Member Lewis' second by a 5-0 vote. Council Members Spelman and Slusher were off the dais.

The minutes for the Special Called Meeting of November 8, 1999 and the minutes for the Regular Meeting of November 18, 1999 and the correction to item #50, November 4, 1999 were approved on this the 2nd day of December, 1999 on Council Member Garcia's motion, Mayor Pro Tem Goodman's second by a 6-0 vote. Council Member Lewis was absent.